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TRANSMITTAL FORM

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Total Number of Pages in This Submission

| | |
|------------------------|------------------|
| Application Number | 10/707,769 |
| Filing Date | January 10, 2004 |
| First Named Inventor | Heinz Lemberger |
| Art Unit | 3654 |
| Examiner Name | |
| Attorney Docket Number | HN 1008 PUS |

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Disclosure Statement; 6 Foreign References; Postcard |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--------------------|----------|--------|
| Firm Name | Artz & Artz, P.C. | | |
| Signature | | | |
| Printed name | Robert P. Renke | | |
| Date | September 11, 2006 | Reg. No. | 40,783 |

CERTIFICATE OF TRANSMISSION/MAILING

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| Signature | | | |
| Typed or printed name | Angie Moscovitz | Date | September 11, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Heinz Lemberger, et al.

Serial No.: 10/707,769

Group Art Unit: 3654

Filed: January 10, 2004

For: BELT TENSIONING DEVICE

Attorney Docket No.: HN 1008 PUS

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September 11, 2006
Date of Deposit

Angie Moscovitz


Signature

**DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with 37 C.F.R. § 1.56, the art listed and identified on the attached PTO form is being submitted herewith for consideration by the Examiner. A copy of each of the listed references is included herewith.

It is Applicants' opinion that the claims presently on file patentably distinguish the present invention from each of these references. The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art.

No fee is believed to be due because this statement and enclosures are being filed before receipt of the first Office Action. However, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-0476 in the name of John A. Artz, P.C.

Respectfully submitted,

ARTZ & ARTZ, P.C.

A handwritten signature in black ink, appearing to read "Robert P. Renke", is written over a horizontal line.

Robert P. Renke
Registration No. 40,783
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

Dated: September 11, 2006



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Substitute for form 1449-PTO

(Use as many sheets as necessary)

Sheet 1

1

of 2

2

Application Number

10/707.769

Filing Date

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|------------------|
| January 10, 2004 |
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First Named Inventor

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|-----------------|
| Heinz Lemberger |
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Art Unit

3654

Examiner Name

Attorney Docket Number

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| HN 1008 PUS |
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[illegible]

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ *Number ⁴ *Kind Code ⁵ (if known) | | | | |
| | A | DE 39 12 944 A1 | 09-20-1990 | Muhr & Bender | | |
| | B | DE 37 19 794 A1 | 12-22-1988 | SKF GmbH | | |
| | C | EP 1 420 192 A2 | 05-19-2004 | Bayerische Motoren Werke | | |
| | D | EP 1 420 193 A2 | 05-19-2004 | Bayerische Motoren Werke | | |
| | E | WO 2004/042253 A1 | 05-21-2004 | Ina Schaeffler KG | | |
| | F | JP 4 101848 | 09-02-1992 | | | |

**Examiner
Signature**

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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